

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

Global Force Entertainment, Inc. and Jeffrey)	
Jarrett,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 3:18-cv-00749
)	
Anthem Sports & Entertainment Corp., and)	
Anthem Wrestling Exhibitions, LLC,)	
)	
Defendants.)	
)	

**DEFENDANTS ANTHEM SPORTS AND ANTHEM WRESTLING'S MOTION TO
DISMISS PLAINTIFFS' CLAIMS FOR FAILURE TO STATE A CLAIM AND/OR
LACK OF SUBJECT MATTER JURISDICTION**

Defendants Anthem Sports & Entertainment Corp (“Anthem Sports”)¹ and Anthem Wrestling Exhibitions, LLC (“Anthem Wrestling”) (collectively “Anthem” or “Defendants”) move to dismiss Plaintiffs’ Complaint pursuant to Fed. R. Civ. P. 12(b)(6). First, Defendants assert that Plaintiffs have failed to state an adequate claim of copyright infringement because they have failed to sufficiently plead that their copyrights were registered prior to the filing of this action. Second, Defendants assert that Plaintiffs cannot state an adequate claim under the Tennessee Personal Rights Protection Act because Jeff Jarrett has previously authorized the use of his name and likeness as a trademark and Defendants own that trademark. Third, Defendants assert that Plaintiffs’ claims of copyright infringement and its trademark infringement-related claims must be

¹ Anthem Sports again enters a special appearance to preserve the defense of lack of personal jurisdiction that it is raising in a second Motion to Dismiss filed contemporaneously with the instant motion.

dismissed because Plaintiff Jarrett granted Defendants a license for all acts about which he now complains. And, finally, Defendants assert that this Court should dismiss Plaintiffs' claim for conversion because, in the absence of his claims under the U.S. Copyright Act and the Lanham Act, this Court should not exercise supplemental jurisdiction over that state law claim.

Defendants' Motion is supported by the following Exhibits, which are attached:

EXHIBIT A Defendant Anthem Wrestling's federal registration for the trademark JEFF JARRETT;

EXHIBIT B Consent to Registration of trademark JEFF JARRETT signed by Plaintiff Jeff Jarrett;

EXHIBIT C Publicly available assignment demonstrating assignment of trademark JEFF JARRETT to Defendant Anthem Wrestling;

EXHIBIT D Publicly available Statement of Use Filed by Plaintiff Jeff Jarrett demonstrating that Amped Content that aired on August 11, 2017 was a licensed use

A supporting Memorandum of Fact and Law is filed contemporaneously with this Motion.

Respectfully submitted,

BASS, BERRY & SIMS PLC

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CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2018, I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following and/or served the following via U.S. Mail:

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